

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ERIC EVANS,

Plaintiff,

v.

JACOBS SOLUTIONS INC. et al.,

Defendants.

CASE NO. 2:23-cv-01352-LK

ORDER DENYING STIPULATED  
MOTION TO REMAND

This matter comes before the Court on the parties’ Stipulated Motion to Remand to State Court. Dkt. No. 16. The parties state that they “have agreed to remand as a settlement term, and remand will effectuate swift resolution of the matter.” *Id.* at 1. However, if a court has diversity jurisdiction over a case, its “virtually unflagging obligation to exercise the jurisdiction conferred upon [it] by the coordinate branches of government and duly invoked by litigants” precludes it from remanding state law claims. *Williams v. Costco Wholesale Corp.*, 471 F.3d 975, 977 (9th Cir. 2006) (quoting *United States v. Rubenstein*, 971 F.2d 288, 293 (9th Cir. 1992) (alteration in original) (internal quotation marks omitted)).

1 Here, Defendants Jacobs Solutions Inc. and CH2M HILL, Inc. have invoked the Court's  
2 jurisdiction under 28 U.S.C. § 1332(d). Dkt. No. 1 at 4. Plaintiff Eric Evans has not controverted  
3 Defendants' assertion that the Court has original jurisdiction over this action because it is "a class  
4 action involving more than 100 members, . . . the matter in controversy exceeds the sum of  
5 \$5,000,000, exclusive of interest and costs, and Plaintiff is a citizen of a state different from at  
6 least one Defendant." *Id.* Absent some jurisdictional defect, remand is not permitted. *See Kakarala*  
7 *v. Wells Fargo Bank, NA*, 615 F. App'x 424, 425 (9th Cir. 2015) ("Given that diversity jurisdiction  
8 existed over Kakarala's state law claims at the time of the district court's remand order, '[t]he  
9 district court had no discretion to remand these claims to state court.'" (quoting *Williams*, 471 F.3d  
10 at 977)). Accordingly, the Court DENIES the parties' motion.

11 Dated this 28th day of May, 2024.

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Lauren King  
14 United States District Judge  
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